

SENATE BILL 458

By Bell

AN ACT to amend Tennessee Code Annotated, Title 49
and Title 63, relative to availability of opioid
antagonists in schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, Part 16, is amended by
adding the following as a new section:

(a) The state board of education, in consultation with the department of health,
shall develop guidelines for the management of students presenting with a drug
overdose for which administration of an opioid antagonist may be appropriate.

(b) Each LEA shall implement a plan based on the guidelines developed
pursuant to subsection (a) for the management of students presenting with a drug
overdose.

(c)

(1) It is the intent of the general assembly that schools, both public and
nonpublic, be prepared to treat drug overdoses in the event other appropriate
healthcare responses are not available.

(2) Each school within an LEA and each nonpublic school is authorized
to maintain an opioid antagonist at the school in at least two (2) unlocked, secure
locations, including, but not limited to, the school office and the school cafeteria,
so that an opioid antagonist may be administered to any student believed to be
having a drug overdose.

(3) Notwithstanding any provision of title 63 to the contrary, a physician
may prescribe epinephrine auto-injectors in the name of an LEA or nonpublic

school to be maintained for use in schools when necessary. An LEA also may utilize a statewide collaborative pharmacy practice agreement pursuant to § 63-1-157 to obtain an opioid antagonist for administration.

(4) The school nurse, school resource officer, or other trained school personnel may utilize the LEA or nonpublic school supply of opioid antagonists to respond to a drug overdose, under a standing protocol from a physician licensed to practice medicine in all its branches.

(5) If a student is injured or harmed due to the administration of an opioid antagonist that a physician has prescribed to an LEA or nonpublic school under this subsection (c), the physician shall not be held responsible for the injury unless the physician issued the prescription or standing protocol with intentional disregard for safety.

(6) Similarly, if a student is injured or harmed due to the administration of an opioid antagonist to the student by a school nurse, school resource officer, or other trained school personnel under this subsection (c), the school nurse, school resource officer, or school employee shall not be held responsible for the injury unless the school nurse, school resource officer, or school employee administered the opioid antagonist with an intentional disregard for safety.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.